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State aide asks 'balance' of environment and economy

By PETE WALSH
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ALBANY — Pressing for "a balance" between the environment and the economy, Commerce Commissioner John Dyson on Tuesday called for a federal law to regulate toxic substances so New York State would not be at a competitive disadvantage by enforcing its laws against pollution.

"If it acts on its own, (New York) faces the real prospect of losing industry and thousands of jobs to other states where the standards are less strict," he told members of the state's congressional delegation in a letter.

"I'm all for cleaning up the environment, but on a national basis, because that way you don't injure New York State's economy," Dyson told reporters at a news conference.

A 1972 law required the U.S. Environmental Protection Agency to set standards for the discharge of toxic effluents. Hearings were held, but the standards have never been adopted. Thus there is currently no systematic federal regulation to control the discharge of toxic substances.

Dyson said that the state's experience with General Electric Co., which has been found guilty of violating state laws by discharging an average of 30 pounds daily of the persistent chemicals known as PCBs into the Hudson River, highlighted the need for a federal solution.

At the same time, Dyson struck a new blow in his dispute with Environmental Conservation Commissioner Ogden Reid, accusing him of exaggerating the value of commercial fishing in the Hudson, which Reid has ordered virtually halted because of PCB contamination, and accusing the Department of Environmental Conservation of paying too little attention to the state's economy in efforts to protect the environment.

He added that the potential threat to public health posed by PCBs was a medical problem and that the decision to close the river to fishing should have been made by doctors, not environmentalists.

Although Gov. Hugh L. Carey has been publicly vague about his views of the conflict between two members of his cabinet, indications are that Dyson is being encouraged in his statements, probably more to make the point with industry that the administration is listening to their problems than to indicate any gubernatorial displeasure with Reid.

Dyson said state and federal reports put the value of fish taken in the Hudson annually by about 276 part-time fishermen at less than $100,000. "Any characterization that the state has suffered a serious economic impact (from banning commercial fishing) is simply a distortion of the facts," he said.

He said that, by comparison, GE's two plants on the Hudson have a $32 million impact on the state's economy and "to lose these plants as a result of a state standard stricter than a federal one would be a major economic impact. The closing of the Hudson to commercial fishing is regrettable but not a serious economic impact."

A spokesman for Reid said later that he stood by the multi-million dollar estimate his department has given on the fishing loss. He said that Reid's fishing ban last week in fact was based on a letter from State Health Commissioner Robert P. Whalen, warning that "the health and welfare of the human population may be endangered by the consumption of fish" from the Hudson because of "a concentrationn of polychlorinated biphenols" — PCBs.

Although it has not been stated publicly, the department is known to believe that the Hudson River catch is vastly larger than reported, possibly because fishermen could avoid paying income taxes on the value of unreported catch.

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